

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

**KEVIN MARTIN MITCHELL, SR.
ADC #500399**

PLAINTIFF

v.

Case No. 1:13-cv-00092 KGB/JTR

**ARKANSAS DEPARTMENT OF CORRECTION,
Grimes Unit, et al.**

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray (Dkt. No. 11). No objections have been filed, and the time for filing objections has passed. After careful review, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

It is therefore ordered that:

1. Plaintiff Kevin Martin Mitchell, Sr.'s claim against the ADC is dismissed with prejudice.
2. Mr. Martins' claim against defendant Doss is dismissed without prejudice.
3. Mr. Martin may proceed with his inadequate medical care claim against defendant King.
4. The Clerk of the Court is directed to prepare a summons for defendant K. King. The U.S. Marshal is directed to serve the summons, complaint, amended complaint, and this Order on her through the Humphries and Odum law firm without prepayment of fees and costs or security therefor. If Ms. King is no longer an employee of Correctional Care Services, the

Humphries and Odum law firm is directed to file a sealed statement containing Ms. King's last known private mailing address.

5. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an *in forma pauperis* appeal from this Order would not be taken in good faith.

SO ORDERED this the 5th day of May, 2014.

A handwritten signature in black ink, appearing to read "Kristine G. Baker", written over a horizontal line.

Kristine G. Baker
United States District Judge